

THE BEN BARKA CASE

'It Is a Shabby Business'

CPYRGHT

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PARIS, Sept. 10.—Rarely, if one is to take each of the accused at his word, has there been such an assemblage of innocence on trial. Rarely have men of such high motivation and good intention been so maliciously treated for doing what they assumed was the right thing.

The trouble with all this protestation is that on closer inspection of the five men accused of kidnapping Mehdi Ben Barka, it is each individual alone who is innocent. Each man gets up, protests his own selflessness, and then turns in the dock on his fellow accused: it is they who are cynical, they who are shameless, they who are responsible for this sorry affair.

It is a shabby business, this Ben Barka trial, a process named after the man who is not here.

The case began last October when Mehdi Ben Barka, Morocco's leftist opposition leader, living here and in Geneva in exile, was kidnapped on a crowded Paris street. Subsequent events indicated that Mohammed Oufkir, the Moroccan Minister of the Interior and Mr. Ben Barka's sworn enemy, had been here at the time and had masterminded the kidnapping, but had been helped by a strange assortment of French counterespionage agents, policemen and underworld figures. Though Mr. Ben Barka is presumed dead, the trial of the five men arrested opened this week.

Since then, here in France it has become a matter of how high the involvement in the case went, and how much of it was cynicism on the part of the French counterespionage agents and how much of it really was innocent avarice—well-intentioned, needy Frenchmen drawn into the wiles of Moroccan domestic politics.

Guesswork

Just how far the involvement goes will probably remain a matter of guesswork, for the French Government has refused to let Ministers testify before the court. The Government's position is simply that it is a Moroccan affair. (Mr. Oufkir, subpoenaed to appear at the trial refused to come, noting that he had no objections to being tried in Morocco, where he controls the police system.) The Government also says the Frenchmen involved were the lowly and "the vulgar," to use President Charles de Gaulle's word. The accuracy of that description has been more than borne out by the testimony so far.

But the loftiness of the Government's view probably will not be accepted quite so readily by the average Frenchman, willing to assume the very worst of any Government anyway. And in this case the fact that a police inspector testifies that the reason he got into the case was that his superior, a middle-ranking counter-espionage official, assured him that even bigger boys—an Elysée Palace friend and confidant of General de Gaulle—were in on it too, will not ease suspicions.

This is the first of four weeks in the trial. (At the end, Mr. Oufkir and six others, ranging from high Moroccan officials to small French crooks, will be tried in absentia.) Day by day it has gone on with charge and countercharge among the accused; Mr. Ben Barka himself has seemed more and more to slip into the background and become a distant and vague figure.

Small-Time Operators

What is in the foreground has been a quick glimpse of some ranks of the French counterintelligence service and its friends. It has hardly been a romantic glimpse: there are no James Bonds, no cool, smooth operatives. Rather there has been a procession of small-time operators, a little bit on the take, serving two masters instead of one, and sometimes three masters instead of two, rather pleased with their friends in higher places.

There has been Antoine Lopez, a middle-rank counterespionage man, the top Air France man at Paris's Orly airfield, also involved in several other deals in housing and hotels; a man, according to the presiding judge, who worked for 20 bosses at once and managed to please every one, "a real turnpike." Lopez is a small, vain con man, at first a bit of a disappointment, and increasingly, one senses, well cast for this role; Peter Sellers playing the part of Lopez could not do better.

Then there is Philippe Bernier, sometimes a journalist, sometimes a writer, sometimes a public relations man and advertising man and opinion-maker. He was apparently the bait in the plot; he talked with Mr. Ben Barka about a movie on decolonization, and it was that movie which brought the Moroccan into the trap. Almost daily he protests what a good friend he was of Mr. Ben Barka's, and perhaps he was, but one feels for the Moroccan, needing friends like this.

The action takes place every afternoon, and is being fully and very well covered by the French press. But the French radio and television, which is state-controlled, has not gotten around yet to giving it more than a few seconds of coverage.